

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	No. 4:18-CR-00188-DGK-1
DONZELL A. JONES,)	
)	
Defendant.)	

ORDER DENYING “MOTION REQUESTING PRE-SENTENCE REPORT”

Now before the Court is Defendant Donzell A. Jones’s pro se motion requesting a “Pre-Sentence Investigation Report (PSR).” ECF No. 321. The motion, which is very bare bones, appears to be brought pursuant to Fed. R. Crim. P. 16(E), which requires the Government to produce certain discovery upon request. Defendant’s motion asks the Court to order the probation office of the Western District of Missouri to prepare and provide him with a “Pre-Sentence Investigation Report.” *Id.* This request is denied for two reasons.

First, there is no document known as a Pre-PSR. A presentence investigation report (“PSR”) is a document prepared by the probation office, *after a defendant has been convicted*, to assist the Court in determining an appropriate sentence. Defendant has not been convicted of anything—indeed, he is cloaked in the presumption of innocence creating any kind of PSR would be premature. To the extent Defendant is seeking a preliminary PSR to determine his potential exposure should he be convicted, Defendant could consult his stand-by counsel for guidance.

Second, to the degree Defendant is seeking discovery, the motion is denied because this Court has routinely ensured Defendant has access to all necessary discovery materials. *See* ECF Nos. 34 (providing access to discovery material consistent with U.S. Marshal’s Service practice

and policy), 41 (same), 163 (same); *see also* ECF Nos. 145 (denying access to various administrative forms when Defendant offered no explanation as to reason they were sought), 176 (denying access to discovery outside of scheduling order), 177 (denying deposition of prospective witnesses due to lack of exceptional circumstances), 234 (denying access to discovery outside of scheduling order), 323 (denying duplicative access to discovery records already provided).

The motion is DENIED.

IT IS SO ORDERED.

Date: April 22, 2021

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT